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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,	)
	)
Plaintiff,	)
	) Criminal Action No. 15-CR-239-F
v.	)
	)
RANDY MILLER,	)
	)
Defendant.	)

MOTION TO CONTINUE TRIAL

COMES NOW Randy Miller by and through his attorney, Ericka S. Smith, and hereby moves the Court to continue his Trial currently set for February 7, 2017 at 8:30 a.m. for the following reasons:

Defendant has a baby that is due at the end of January and his wife is currently having complications. It is important Defendant is available for the birth of his child and to assist his wife following delivery, which will be cesarean.

Counsel asks for a delay of thirty or more days. Under the Speedy Trial Act, U.S.C.18 § 3161(7)(A) this period of time can be excluded from the speedy trial calculation if the Court finds that “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.”

Counsel for the Government, Eric J. Heimann, does not object to this motion for continuance.

WHEREFORE Defendant Randy Miller respectfully requests his trial setting of February 7, 2017 at 8:30 a.m. be continued to a future date convenient to the Court.

DATED this 10th day of January, 2017.

/s/ Ericka S. Smith
Ericka S. Smith, #6-3444
Attorney at Law

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 10th day of January, 2017, a copy of the foregoing was served via the CM/ECF system to all parties.

/s/ Ericka S. Smith